

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

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ULTIMA SERVICES CORPORATION,

Plaintiff,

-against-

U.S. DEPARTMENT OF AGRICULTURE,  
U.S. SMALL BUSINESS ADMINISTRATION,  
SECRETARY OF AGRICULTURE, and ADMINISTRATOR  
OF THE SMALL BUSINESS ADMINISTRATION,

Defendants.  
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: No. 2:20-cv-00041-  
DCLC-CRW  
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**JOINT MOTION FOR A STATUS CONFERENCE**

Plaintiff and Defendants jointly move for a telephonic status conference in this matter. In support of this motion, the parties state:

1. Both Plaintiff and Defendants recently have moved for summary judgment in this matter. Each of the motions is extensive. In recognition of the complexity of the issues likely to be raised by summary judgment, the court granted the Parties' joint motion to file initial and opposition memoranda exceeding the normal page limits set by the local rules. Doc. 56 at 1-2 (¶¶ 3-4) (joint motion stating that the case is "a complex and factually rich case involving an important question of constitutional law" and that "the complexities of the issues presented in this matter and the large volume of evidence" warranted an extension of the page limit); Doc. 57 (order granting motion "[g]iven the gravity and complexity of the issues being addressed").

2. In addition, Plaintiff has moved to disqualify the testimony of one of Defendants' experts, and Defendants have moved to disqualify Plaintiff's only expert.

3. The scheduling order currently governing this matter sets a trial date of October 11, 2022 and a final pretrial conference of September 20, 2022. Doc. 34 at 1.

4. Various deadlines under the scheduling order are linked to the date of the final pretrial conference, and others are set for the next few weeks. For example, Plaintiff must serve a

draft final pretrial order 45 days prior to the final pretrial conference, or August 5, 2022. Doc. 34 ¶ 6(b)(6). The deadline for motions in limine and other nondispositive motions is August 12, 2022. *Id.* ¶¶ 5(e), 5(f). The exchange of exhibit and witness lists must take place thirty days before the final pretrial conference, or August 19, 2022. *Id.* ¶ 5(g); Fed. R. Civ. P. 6(a)(1)(C), 6(a)(5).

5. Under the circumstances, all Parties believe it would productive to have a status conference to ascertain whether the Court intends to adhere to the current schedule and, if so, when it believes resolution of the currently-outstanding motions is likely. The Parties' trial submissions likely will be influenced by the issues the Court believes are remaining in this matter and whether certain expert witnesses will be permitted to testify.

For all these reasons, the Parties respectfully request a telephonic status conference in this matter during the week of August 1-5, if possible.

Respectfully submitted,

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